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E.O. 12958: DECL: 02/19/2020  
TAGS: [PGOV](#) [PREL](#) [EAID](#) [KJUS](#) [KTIA](#) [CB](#)  
SUBJECT: DEMARCHE REQUEST: U.S. CANDIDATE FOR UN SPECIAL  
EXPERT FOR THE KHMER ROUGE TRIBUNAL

REF: 09 STATE 106946

Classified By: A/S Esther Brimmer for Reasons 1.4 (b) and (d).

11. (U) This is an Action Request: see para 3.

12. (SBU) Department appreciates USUN's ongoing engagement with UN/OLA and the Steering Committee for the Extraordinary Chambers in the Courts of Cambodia aka the Khmer Rouge Tribunal (ECCC). Department notes that UN/OLA has requested donor input regarding the proposed appointment of a Special Expert to advise on the high-level aspects of the challenges facing the ECCC.

13. (SBU) ACTION REQUEST: Department requests that USUN offer the name of Clint Williamson for the Special Expert position. We believe that Mr. Williamson is the best candidate for this position based on his extensive work with the ECCC and high level Cambodian government officials in his previous position as U.S. Ambassador for War Crimes Issues. USUN can draw on the following points when speaking with relevant UN officials and donor country representatives regarding Mr. Williamson's candidacy. Embassy Phnom Penh is authorized to draw from the same points in conversation with UN representatives and representatives of other donor states:

- Reiterate US support for the work of the ECCC to hold senior Khmer Rouge leaders accountable for crimes committed under their Regime. Welcome the efforts of UN/OLA and the donor countries to address ongoing issues at the ECCC, including consideration of the budget, staffing needs, and strengthening court management.
- Note our extensive, ongoing engagement on the issue of improving management and eliminating corruption at the ECCC. Reiterate our support for the agreement between the UN and the Cambodian government to establish an Independent Counselor to improve court management and investigate future allegations of corruption and other misconduct.
- Note the number of issues that remain outstanding at the ECCC, including ongoing issues related to cases 2 and 3, budgetary and staffing needs, and the need to support the functioning of the Independent Counselor position. Express our support for the creation of the Special Expert position to advise the UN on ways to resolve ongoing issues and support the court's work.
- Explain that the US is offering the name of Clint Williamson as a candidate for the Special Expert position. Note Mr. Williamson's exceptional qualifications based on his previous work with the ECCC and senior Cambodian government officials as U.S. Ambassador for War Crimes Issues. Mr. Williamson has extensive knowledge of the issues facing the court, and was intimately involved in the negotiations that led to the establishment of the Independent Counselor. In addition, Mr. Williamson is viewed as a dispassionate and credible interlocutor by all of the parties that work on the court, including representatives of the UN, officials of the

Royal Cambodian government, and members of the donor community.

14. (C) BACKGROUND: Four years after its creation, the ECCC is closer than ever to fulfilling its mandate to hold accountable senior leaders and those most responsible for crimes committed under the Khmer Rouge regime. The court held its first trial in 2009 and is preparing to try four additional suspects later this year. The court has also made considerable progress on strengthening management systems and eliminating corruption. Notably, there have been no allegations of corruption within the court administration since the removal of Cambodian Chief of Administration Sean Visoth in December 2008.

15. (C) UN/OLA recommended the creation of the Special Expert position in order to maintain forward momentum on these and other issues at the court. Cambodian government officials involved with the ECCC have privately voiced their support for Williamson's appointment to the position.

16. (C) Department notes that the USG previously pledged to provide financial support, subject to the availability and appropriation of funds by the U.S. Congress, for a Special Advisor on Tribunals in OLA to address pressing issues at the Khmer Rouge Tribunal, Special Court for Sierra Leone, and the Special Tribunal for Lebanon. (REF). However, the terms of reference for the Special Expert position currently being proposed are different, refocusing the position solely on the ECCC.

CLINTON